

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 JUSTIN ODELL LANGFORD,

4 Plaintiff

Case No. 3:20-cv-00159-RFB-CLB

ORDER

5 v.

6 JAMES DZURENDA, *et al.*,

7 Defendants
8

9 **I. DISCUSSION**

10 Plaintiff, who is an inmate in the custody of the Nevada Department of Corrections,
11 has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 and has filed an
12 application to proceed *in forma pauperis*. (ECF Nos. 1, 1-1).

13 Plaintiff's application to proceed *in forma pauperis* is incomplete. Pursuant to 28
14 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must fully complete an application
15 to proceed *in forma pauperis* and attach both an inmate account statement for the past
16 six months and a properly executed financial certificate. With respect to the application
17 form, Plaintiff has not answered the questions on pages 1 and 2 and is missing both
18 signatures on page 3 of the application to proceed *in forma pauperis*. (See ECF No. 1).

19 As such, the *in forma pauperis* application is denied without prejudice. The Court will
20 retain Plaintiff's civil rights complaint (ECF No. 1-1) but will not file it until the matter of the
21 payment of the filing fee is resolved. Plaintiff will be granted an opportunity to cure the
22 deficiencies of his application to proceed *in forma pauperis*, or in the alternative, pay the
23 full filing fee for this action. If Plaintiff chooses to file a new application to proceed *in*
24 *forma pauperis*, he must file a fully complete application to proceed *in forma pauperis*.

25 **II. CONCLUSION**

26 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed
27 *in forma pauperis* (ECF No. 1) is DENIED without prejudice to file a new application.

28 IT IS FURTHER ORDERED that the Clerk of the Court WILL SEND Plaintiff the

1 approved form application to proceed *in forma pauperis* by a prisoner, as well as the
2 document entitled information and instructions for filing an *in forma pauperis* application.

3 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
4 Plaintiff will either: (1) file a fully complete application to proceed *in forma pauperis*, on
5 the correct form with complete financial attachments in compliance with 28 U.S.C. §
6 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing
7 fee and the \$50 administrative fee).

8 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
9 dismissal of this action may result.

10 IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint
11 (ECF No. 1-1) but will not file it at this time.

12 DATED: 3/17/2020

13 
14 UNITED STATES MAGISTRATE JUDGE